

EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WIENERBERGER AG,

GENERAL SHALE BRICK, INC.,

BORAL LIMITED,

LSF9 STARDUST SUPER HOLDINGS,
L.P.,

and,

MERIDIAN BRICK LLC,

Defendants.

Case No. 1:21-cv-02555-CRC

**CERTIFICATE OF COMPLIANCE WITH PROVISIONS
OF THE ANTITRUST PROCEDURES AND PENALTIES ACT**

The United States of America hereby certifies that it has complied with the Antitrust Procedures and Penalties Act (“APPA”), 15 U.S.C. § 16 and states:

1. The United States filed the Complaint, Asset Preservation Stipulation and Order (“Stipulation and Order”), and proposed Final Judgment on October 1, 2021. The United States filed the Competitive Impact Statement on October 19, 2021. The United States then filed a Joint Notice of Amended Proposed Final Judgment, attaching an Amended Proposed Final Judgment as Exhibit 1 on November 12, 2021.

2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and the Competitive Impact Statement were published in the *Federal Register* on October 25, 2021 (86 Fed. Reg. 59285 (2021)), and copies of the proposed Final Judgment and Competitive Impact Statement were furnished to all persons requesting them and made available on the Department of Justice Antitrust Division's website.

3. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the proposed Final Judgment and Competitive Impact Statement were published in *The Washington Post*, a newspaper of general circulation in the District of Columbia and *The Birmingham News*, *The Indy Star*, and *The Tennessean*, newspapers of general circulation in the metro areas of Birmingham, Indianapolis, and Nashville, for seven days, beginning on October 24, 2021 and ending on November 7, 2021.

4. No determinative materials or documents within the meaning of 15 U.S.C. § 16(b) were considered by the United States in formulating the proposed Final Judgment, so none were furnished to any person pursuant to 15 U.S.C. § 16(b) or listed pursuant to 15 U.S.C. § 16(c).

5. As required by 15 U.S.C. § 16(g), on November 22, 2021, Defendants filed with the Court descriptions of any written or oral communications made by or on behalf of Defendants with any officer or employee of the United States concerning the proposed Final Judgment.

6. The 60-day comment period specified in 15 U.S.C. § 16(b) commenced on November 8, 2021 and ended on January 6, 2022.

7. The United States received no comments from members of the public concerning the Amended Proposed Final Judgment.

8. The parties have, therefore, satisfied all of the requirements of the APPA that were conditions for entering the Amended Proposed Final Judgment. Pursuant to the Stipulation and Order filed on October 1, 2021 and 15 U.S.C. § 16(e), the Court may enter the Final Judgment after it determines that the Amended Proposed Final Judgment serves the public interest.

9. The United States's Competitive Impact Statement demonstrates that the Amended Proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e).

10. Pursuant to the Stipulation and Order dated October 5, 2021, Defendants stipulated that the Final Judgment could be filed with and entered by the Court, upon the motion of the United States or upon the Court's own motion, at any time after compliance with the requirements of the APPA, and without further notice to any party or other proceeding.

10. The United States requests that this Court enter the Final Judgment without further proceedings or hearings.

Dated: January 31, 2022

Respectfully submitted,

FOR PLAINTIFF
UNITED STATES OF AMERICA

/s/
Daniel J. Monahan Jr
Trial Attorney
United States Department of Justice
Antitrust Division
Defense, Industrials, and Aerospace Section
450 Fifth St. NW, Suite 8700
Washington, DC 20530
Telephone: (202) 489-2305
Email: Daniel.monahan@usdoj.gov

